

MAXIMUM PENALTIES UNDER SECTION
311(b)(7)(C) OF THE CLEAN WATER ACT

TUCKERTON TERMINAL

Violation of 40 C.F.R. § 112.20(a)

August 30, 1994 through March 31, 1997 = 944 days
944 days x \$27,500/day¹ = \$25,960,000

Violation of 40 C.F.R. § 112.21(a)

August 30, 1994 through March 31, 1997 = 944 days
944 days x \$27,500/day = \$25,960,000

Total for Violations of 40 C.F.R. §§ 112.20 (a) and 112.21(a)

\$25,960,000 + \$25,960,000 = \$51,920,000

Or, in the alternative:

Violation of 40 C.F.R. § 112.20(e)

August 30, 1994 through July 17, 1996 = 687 days
687 days x 27,500/day = \$18,892,500

¹ The \$25,000/day penalty in the Clean Water Act was adjusted for inflation in accordance with the Civil Monetary Inflation Adjustment Rule, 61 Fed. Reg. 69360 (Dec. 31, 1996).

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WILLIAMSPORT BULK PLANT

Violation of 40 C.F.R. § 112.20(a)

August 30, 1994 through March 31, 1997 = 944 days
944 days x \$27,500/day = \$25,960,000

Violation of 40 C.F.R. § 112.21(a)

August 30, 1994 through March 31, 1997 = 944 days
944 days x \$27,500/day = \$25,960,000

Total for Violations of 40 C.F.R. §§ 112.20 (a) and 112.21(a)

\$25,960,000 + \$25,960,000 = \$51,920,000

Or, in the alternative:

Violation of 40 C.F.R. § 112.20(e)

August 30, 1994 through March 31, 1997 = 944 days
944 days x \$27,500/day = \$25,960,000